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## How to Keep Order Without Killing

**F**OUR at Kent State. Then six in Augusta, Ga. and two in Jackson, Miss. All dead because of the indiscriminate—and unnecessary—use of mass firepower by armed officers and troops trying to control destructive, or disorderly crowds. In each case a basic tenet of all enforcement agencies was violated: apply the minimum amount of force required to accomplish the objective. In an age of mounting civil dissent, many more such situations seem inevitable, raising the question: How can mobs be controlled without killing anyone?

The avoidance of death in most cases is simple: hold fire. Except to stop snipers, shooting to kill can rarely be justified. Even then, the Army, National Guard units and police departments instruct their men to first locate the source of the sniper fire, and to return it only by the pinpoint, one-shot-at-a-time marksmanship of a trained rifleman. Laying down a fusillade, Army military police are told, “accomplishes nothing constructive and creates hostility among innocent bystanders,” even if none are wounded or killed. A sniper can often be silenced by surrounding his posi-

tion and forcing him out with tear gas.

One of the clearest general guides to handling civil disorders is that of the U.S. Army. It places "full firepower" at the end of six escalating levels of force to be employed in riot situations—and then only when failure to use it would lead to the "imminent overthrow of the Government, continued mass casualties, or similar grievous conditions." The first need, the Army emphasizes, is to present a strong "show of force." By that is meant the presence of enough soldiers to convince a crowd that it can be overpowered. Even then, progressive steps for displaying force are urged. They range from keeping rifles in their slings, to fixing sheathed bayonets, then removing the sheaths, to finally placing

of force and the use of guns. It cited as one approach the practice of arming some Hong Kong police with guns that fire wooden pegs. Other possibilities would be the use of tranquilizer darts and the spraying of slippery foam. Nothing much has come of such research; yet the need for something more effective than tear gas and less deadly than bullets is increasingly an urgent necessity. Meanwhile, what seems to be needed most is better training, especially for young National Guardsmen, and more discipline among all lawmen who must contend with frightening and maddening confrontations in streets and on campuses. Many lives could be saved if armed officers were to follow conscientiously the general principles outlined

what happened in the predawn raid that took the lives of Panthers Fred Hampton, 21, and Mark Clark, 22.

Even so, the 249-page report is a devastating condemnation of the entire law-enforcement handling of the affair. In light of the actions of the state's attorney's men who conducted the raid and the officials who investigated it, concluded the jury, there is "reasonable basis for public doubt of their efficiency or even their credibility." Among the findings:

► The raid on the Panthers was "not professionally planned or properly executed." Police were heavily armed, but without tear gas or portable lights to decrease casualties. Sergeant Daniel Groth, who led the raid, rejected the standard approach of asking the Panthers to come out peacefully before opening fire.

► The investigation immediately following the raid was riddled by repeated errors. According to the sergeant in charge, it "was conducted not to obtain all the available evidence but to try to establish the authenticity of the account given by the raiding officers." Police said that they had shot a minimum of ten to 15 times into the dark apartment; FBI evidence showed that they had riddled it with between 82 and 99 shots. Though police said that the Panthers fired first and resisted with heavy gunfire, the study indicated that the Panthers got off only a single shot.

Under cross-examination, Chicago Police Captain Harry Ervian, who ran the Internal Inspections Division, admitted that "this was a very bad investigation." The night before the report was released, Ervian and two other policemen were demoted, apparently as a result of the controversy.

**Fear and Tension.** The grand jury found that the raid had grown out of police fears of a Panther menace "totally out of proportion to the minuscule number of members." It offered its own possible explanation: "That in the darkness and the excitement, [police] mistakenly attributed to the occupants the fire of other officers." Concluded the report: "A careful analysis of the testimony shows the way such mistakes could be made, and is even more credible if one considers the natural fear, confusion and tension that each must have felt." The Panthers claim that the police were on a deliberate murder foray.

The grand jury findings lent strong evidence to the case that it was the police—and not the Panthers—who shot first. Yet the jury was unable to return any indictments against the 14 policemen in the raid, largely because the seven surviving Panthers refused to testify before the predominantly white federal grand jury. They seemed to prefer propagandizing their martyrs. "The grand jury is forced to conclude that [the Panthers] are more interested in the issue of police persecution than they are in obtaining justice," the report said. "Perhaps revolutionary groups simply do not want the legal system to work."



PENNSYLVANIA GUARDSMEN IN RIOT CONTROL TRAINING

*Almost anything is better than shooting.*

one round of ammunition in the chambers of the rifles.

The next level of force includes various riot formations, a general principle of which is to always leave a mob a clear exit as troops advance to clear an area. New York City's Tactical Patrol Force has effectively used wedge formations in which officers advance to divide a crowd with nightsticks held low.

**Shoot to Wound.** The U.S. Army advises use of fire hoses as a next step, if needed. Tear gas, now widely used as almost the first step by many agencies, is considered a fourth-level tactic by the Army. After that comes the use of fire by selected marksmen, shooting at well-defined targets, and finally volley fire. Even then, such fire should be aimed low to wound, rather than to kill.

After the race riots of 1967, the National Advisory Commission on Civil Disorders urged that a crash program of research be undertaken by the Federal Government to develop nonlethal weapons, which could more effectively bridge the gap between a strong show

in a booklet all Ohio National Guardsmen are expected to carry in their pockets when on riot duty. "The keynote of all operations aimed at the curtailment of civil disorder is *restraint*," it says. "The well-trained, disciplined soldier is capable of dealing successfully with civil disorder if he and his leaders use sound common sense."

## BLACK PANTHERS

### Questions Remain

The police raid on a Black Panther apartment in Chicago last December has become a *cause célèbre*. Police claimed that they were attacked as they sought to enter the apartment, whereas Panthers claimed that the two of their number who were killed had been more or less passive victims. Last week a federal grand jury wound up its investigation by citing "the irreconcilable disparity between the accounts given by the officers and the physical evidence." The results were inconclusive, since they failed to clear up the vital questions of just